

Please add the following new claims.

-- 22. A chimeric gene which is transcribed and translated in plant cells comprising a promoter from cauliflower mosaic virus, said promoter selected from the group consisting of:

- a) a CaMV 35S promoter region free of CaMV protein-encoding DNA sequences and
- b) a CaMV 19S promoter region free of CaMV protein-encoding DNA sequences,

and a DNA sequence which is heterologous with respect to the promoter.--

23. An intermediate plasmid of Claim 10 in which the promoter is the CaMV(35S) promoter.

24. A differentiated dicotyledonous plant comprising plant cells containing in the plant genome a chimeric gene which comprises a promoter from cauliflower mosaic virus, said promoter selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, and a DNA sequence which is heterologous with respect to the promoter.

25. A differentiated dicotyledonous plant regenerated from plant cells, said plant cells containing a chimeric gene which comprises a promoter from cauliflower mosaic virus, said promoter selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, and a DNA sequence which is heterologous with respect to the promoter.

26 A chimeric gene which is expressed in plants cells comprising a promoter from a cauliflower mosaic virus, said promoter selected from the group consisting of a

CaMV(35S) promoter region free of CaMV protein-encoding DNA sequences and a CaMV(19S) promoter region free of CaMV protein-encoding DNA sequences, and a DNA sequence which is heterologous with respect to the promoter.

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27. A chimeric gene which is transcribed in plants cells comprising a promoter from a cauliflower mosaic virus, said promoter selected from the group consisting of a CaMV(35S) promoter free of CaMV protein-encoding DNA sequences and a CaMV(19S) promoter free of CaMV protein-encoding DNA sequences, a DNA sequence which is heterologous with respect to the promoter and a 3' non-translated polyadenylation signal sequence.

*Am*  
28. A plant cell which comprises a chimeric gene where said chimeric gene comprises a promoter from cauliflower mosaic virus, said promoter selected from the group consisting of a CaMV(35S) promoter and a CaMV(19S) promoter, wherein said promoter is free of CaMV protein-encoding DNA sequences, and a DNA sequence which is heterologous with respect to the promoter and a 3' non-translated polyadenylation signal sequence. --

**REMARKS**

Consideration of the above amended application is respectfully requested. Claims 1 and 2 have been canceled. Claim 16 has been amended. Claims 22-28 have been added. Following amendment, claims 4-11 and 13-28 will be pending.

In the prior case, claims 1-2, 2-11 and 13-21 were allowed following a favorable decision in Interference No. 102,890. The following continuation application has been filed to consider the following issues:

- 1) Applicants moved for correction of inventorship during the interference,